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RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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NORTHERN DISTRICT OF CALIFORNIA

SHEPPARD MULLIN RICHTER & HAMPTON LLP

A Limited Liability Partnership

Including Professional Corporations

CHARLES S. DONOVAN, Cal. Bar No. 103667

AMY B. NORRIS, Cal. Bar No. 201147

Four Embarcadero Center, 17th Floor

San Francisco, California 94111-4106

Telephone: 415-434-9100

Facsimile: 415-434-3947

Email: [cdonovan@sheppardmullin.com](mailto:cdonovan@sheppardmullin.com)

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Attorneys for Plaintiff Triton Container

International Limited

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

EMC

TRITON CONTAINER  
INTERNATIONAL LIMITED,

Plaintiff,

v.

CHINA SHIPPING CONTAINER LINES  
(HONG KONG) CO., LTD., *in personam*,  
and CHINA SHIPPING CONTAINER  
LINES (ASIA) CO., LTD., *in personam*,

Defendants.

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EX PARTE RIGHT TO ATTACH  
ORDER AND ORDER FOR  
ISSUANCE OF WRIT OF  
ATTACHMENT

The Court has considered Triton Container International Limited's ("Triton") application, the supporting memorandum of points and authorities and declarations for an Ex Parte Right to Attach Order and Writ of Attachment.

The Court finds:

1. The conditions set forth in Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure appear to exist in this case as defendants China Shipping Container Lines (Hong Kong) Co., Ltd. ("CSCL Hong Kong") and China Shipping Container Lines (Asia) Co., Ltd. ("CSCL Asia") cannot

1 be found within this District. Therefore issuance of a writ of attachment under Rule B is  
2 appropriate.

3 2. The claim upon which the attachment is based is one upon which attachment  
4 may be issued under the California Attachment Law (title 6.5 of the California Code of  
5 Civil Procedure, §§ 481.010-493.060), specifically under CAL. CIV. PROC. CODE §  
6 492.030.

7 a. Triton has established the probable validity of the claim upon which  
8 the application is based.

9 b. The declarations accompanying the application show that the property  
10 Triton seeks to attach is subject to attachment, pursuant to CAL. CIV. PROC. CODE §  
11 492.040.

12 c. CSCL Hong Kong and CSCL Asia are foreign corporations not  
13 qualified to do business in California.

14 d. Triton does not seek the attachment for a purpose other than recovery  
15 on the claims upon which the application is based.

16 e. None of the defendants has filed a general appearance.

17 3. An undertaking in the amount of \$10,000.00 is required before a writ shall  
18 issue. Once Triton has filed an undertaking in that amount, the writ of attachment shall be  
19 effective under the California Code of Civil Procedure. However, the Clerk shall issue the  
20 writ immediately. The writ shall take effect immediately as a writ of attachment under  
21 Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims.

22 IT IS ORDERED:

23 1. That Triton has the right to attach corporate property of CSCL Hong Kong  
24 and CSCL Asia in the amount of \$1,922,315. The Clerk shall issue a writ of attachment  
25 forthwith in the amount of \$1,922,315 against the following property of defendants:

26 a. All tangible and intangible property of CSCL Hong Kong;

27 b. All tangible and intangible property of CSCL Asia;

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1 c. Any and all debts owed by China Shipping (North America) Agency  
2 Co., Inc. to CSCL Hong Kong or CSCL Asia;

3 d. Any and all assets belonging CSCL Hong Kong or CSCL Asia in the  
4 possession or control of China Shipping (North America) Agency Co., Inc.,  
5 including, but not limited to, freights, accounts receivables, cash or charter hire of  
6 CSCL Hong Kong or CSCL Asia;

7 e. Any and all debts owed by Rich Shipping Company Limited to CSCL  
8 Hong Kong or CSCL Asia;

9 f. Any and all assets belonging CSCL Hong Kong or CSCL Asia in the  
10 possession or control of Rich Shipping Company Limited, including, but not limited  
11 to, freights, accounts receivables, cash or charter hire of CSCL Hong Kong or  
12 CSCL Asia; and

13 g. Any fuel belonging to any one of the defendants on board any vessel  
14 in California.

15 2. Certain property is in the possession, custody, or control of non-defendants  
16 or non-defendants have an interest in certain property, including:

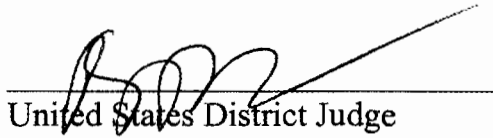
17 a. China Shipping (North America) Agency Co., Inc., 111 West Ocean  
18 Blvd., Suite 1700, Long Beach, CA 90802; and

19 b. Rich Shipping Company Limited, whose registered agent for service  
20 of process is Distribution-Publications, Inc., 7982 Capwell Drive, Oakland, CA  
21 94621.

22 3. CSCL Hong Kong and CSCL Asia shall transfer to the levying officer  
23 possession of any documentary evidence in their possession of title to any property  
24 described above; and any documentary evidence in their possession of the debts owed to  
25 CSCL Hong Kong or CSCL Asia by entities in California or subject to the jurisdiction of  
26 this Court.

1 NOTICE TO DEFENDANTS: Failure to comply with this order may subject  
2 you to arrest and punishment for contempt of court.

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4 DATED: January 26, 2006

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6 United States District Judge  
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